

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

TONI LYNN REPPE,

Plaintiff,

vs.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

CASE NO. 14cv0122-GPC(DHB)

**ORDER DENYING WITHOUT
PREJUDICE PLAINTIFF'S
MOTION TO PROCEED *IN*
*FORMA PAUPERIS***

[Dkt. No. 3.]

On January 16, 2014, Plaintiff Toni Lynn Reppe ("Plaintiff") filed a motion to proceed *in forma pauperis* ("IFP") under 28 U.S.C. § 1915(a). (Dkt. No 3.) All proceedings filed with the District Court require a filing fee unless the Court grants IFP status, waiving the fee. Rodriguez v. Cook, 169 F.3d 1176, 1177 (9th Cir. 1999). Under 28 U.S.C. § 1915(a) the Court may waive the filing fee, if a party demonstrates an inability to pay by submitting an affidavit stating all assets of the individual. Receipt of IFP status is a privilege, not a right. Franklin v. Murphy, 745 F.2d 1221, 1232 (9th Cir. 1984).

Here, Plaintiff submitted an application and affidavit using the IFP application form from the U.S. District Court for the Eastern District of California¹ stating


¹Although the form used by the U.S. District Court for the Southern District of California is largely similar to the form used by Plaintiff, the Southern District of California form requests that applicants list any debts and obligations.

1 Plaintiff's assets. (Dkt. No. 3.) Plaintiff asserts that Plaintiff last worked in August
2 2005, for one week, and is not currently employed. Plaintiff receives \$866.40 per
3 month in Social Security Income, owns \$125.00 in a checking account, and owns a
4 Jeep Grand Cherokee valued between four and five thousand dollars. Plaintiff does not
5 list any debt, obligations, expenses, or persons who are dependent on Plaintiff for
6 support.

7 On consideration of Plaintiff's affidavit, the Court finds that Plaintiff has not
8 sufficiently demonstrated inability to pay the required filing fee and fails to meet the
9 requirements to proceed IFP. Therefore, the Court **DENIES** Plaintiff's motion to
10 proceed IFP. However, Plaintiff is granted leave to file an amended IFP application,
11 using the application form issued by the U.S. District Court for the Southern District
12 of California, within fourteen (14) days of the date of this order.

13 IT IS SO ORDERED.

14 DATED: January 17, 2014

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16 HON. GONZALO P. CURIEL
17 United States District Judge
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